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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Judith DUETTMANN, et al.) Art Unit: 1614
U.S. Appln. No. : 10/612,107) Examiner: Not Yet Assigned
Confirmation No. : 3415
U.S. Filing Date : 07/02/2003
Title of Invention : New drug combinations based on sodium channel blockers and
magnesium salts
Attny. Docket No.: 1/1361

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

October 4, 2004

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow.

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

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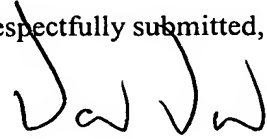
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☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

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Triplicate copies of this form are enclosed.

Respectfully submitted,



David A. Dow
Attorney for Applicant(s)
Reg. No. 46,124

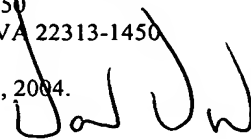
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David A. Dow, Reg. No. 46,124

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

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Complete if Known

Application Number	10/612,107
Filing Date	07/02/2003
First Named Inventor	Judith Duettmann
Art Unit	1614
Examiner Name	Not Yet Assigned
Attorney Docket Number	1/1361

U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

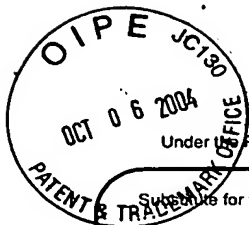
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Complete if Known

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First Named Inventor	Judith Duettmann
Art Unit	1614
Examiner Name	Not Yet Assigned
Attorney Docket Number	1/1361

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ADRIAN J. CARTER, et al. "Potent blockade of sodium channels and protection of brain tissue from ischemia by BIII 890 CL" PNAS, Vol 97, No. 9, pp. 4944-4949, April 25, 2000	
		YI YANG, et al. "Survival and histological evaluation of therapeutic window of post-ischemia treatment with magnesium sulfate in embolic stroke model of rat" Neuroscience Letters, Vol. 285, pp. 119-122, 2000	
		D. SAREEN "Neuroprotective Agents in Acute Ischemic Stroke" JAPI, Vol. 50, pp. 250-258, February 2002	
		KENNETH I. MAYNARD, et al. "Magnesium plus mexiletine inhibit energy usage and protect retinas against ischemia" NeuroReport Vol. 9, pp. 4141-4144, 1998	

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